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4 Attorneys for Defendant, MARIO RENDA

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8 **UNITED STATES DISTRICT COURT**
9 **FOR THE SOUTHERN DISTRICT OF CALIFORNIA**

10 AIRLINES REPORTING CORPORATION,

11 Plaintiff/Judgment Creditor,

12 v.

13 COMMERCIAL TRAVEL
CORPORATION d/b/a MATLOCK
14 TRAVEL, *et al.*,

15 Defendants/Judgment Debtors.

CASE NO. 08-MC-00088

DECLARATION OF ANTHONY RENDA
IN SUPPORT OF REPLY RE MOTION TO
VACATE JUDGMENT PURSUANT TO
FEDERAL RULES OF CIVIL
PROCEDURE, RULE 60 (b)(4)

Date: July 25, 2008
Time: 10:00 a.m.
Ctrm.: 1, 4th Floor
Judge: Hon. Irma E. Gonzalez

Judgment: September 4, 2007

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18 I, Anthony Renda, declare as follows:

19 1. I have personal knowledge of the contents of this Declaration, and if called to
20 testify, I could and would testify competently to the following.

21 2. At all times relevant to this case, I have been a resident of San Diego County,
22 California.

23 3. I owned COMMERCIAL TRAVEL CORPORATION d/b/a MATLOCK
24 TRAVEL and COMMERCIAL TRAVEL CORPORATION, d/b/a COSTA TRAVEL, through
25 my company, International Research and Development Corporation of Nevada ("IRD"). I am
26 the sole shareholder, officer and director of IRD. IRD was the sole shareholder of Aloha
27 Continental Travel & Tours, Inc., which was the parent corporation of MATLOCK TRAVEL,
28

1 COSTA TRAVEL, Uniglobe Fairway Travel, Inc., and McCord Consumer Direct, Inc., dba A
2 Better Airfare. I have personal knowledge of the identities of the officers, directors,
3 shareholders, agents and employees of MATLOCK TRAVEL, COSTA TRAVEL, Aloha,
4 Uniglobe and McCord.

5 4. My father, MARIO RENDA, was never an officer, director, member, employee,
6 shareholder, agent, principal, or financier of MATLOCK TRAVEL, COSTA TRAVEL, Aloha,
7 Uniglobe, or McCord, nor did he ever receive any compensation from these entities.

8 5. My father was never the "Director of Marketing" for Aloha. I do not know who
9 prepared the purported announcement ARC has submitted to the Court, but it is inaccurate. I
10 do not recall ever seeing this document before this proceeding.

11 6. My father did not sign the "Letter of Intent," that ARC submitted as Exhibit "B"
12 to Ms. Lewis' July 14, 2008 declaration. Mr. Bob Kremer signed the "Letter of Intent," on
13 behalf of Aloha.

14 7. I am a member of First Mutual, LLC, and I have personal knowledge of the
15 identities of the other members, its officers, agents and employees. My father is not and never
16 was a member, officer, employee, agent, principal, or financier of First Mutual, LLC.

17 8. As of June 25, 2003, First Mutual, LLC, owned the property located at 7084
18 Miramar Road. I personally owned the property before I transferred it to First Mutual, LLC,
19 through a Quitclaim Deed that was recorded in San Diego County on June 25, 2003. A true
20 and correct certified copy of the Quitclaim Deed recorded on June 25, 2003, San Diego County
21 Recorder Doc. # 2003-0749391, is attached to my declaration as Exhibit 1.

22 9. COSTA TRAVEL leased the entire first floor and a major portion of the second
23 floor of 7084 Miramar Road. The checks ARC has submitted to the Court as Exhibit "E" to
24 Attorney Lewis' July 14, 2008 Declaration, are COSTA TRAVEL's rent and utility payments
25 to First Mutual, LLC, for the months of January through December 2003, which is clearly
26 stated on the checks. The checks are not payments to my father.

27 10. ARC's contention that I have not fully and completely performed under the terms
28 of my settlement agreement with ARC is misleading. I have complied with the settlement

1 agreement by paying the quarterly installment payments as they come due over the three year
2 payment period. Not all of the quarterly installment payments are due yet. There are five
3 remaining quarterly installment payments, the last one being due on September 30, 2009.

4 11. I have a variety of different business interests and, on occasion, my father might
5 attend a meeting, pass information on for me and/or field information to be passed on to me
6 when I am busy with other matters. If this happened with respect to this case, my dad was
7 helping me as a favor, and as my dad, not as an employee or representative of MATLOCK
8 TRAVEL, COSTA TRAVEL, or any other business in which I hold an interest.

9 I declare under penalty of perjury under the laws of the State of California that the
10 forgoing is true and correct, and that this declaration was executed on July 18, 2008, in
11 La Jolla, California.

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13 ANTHONY RENDA
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**DECLARATION OF ANTHONY RENDA IN SUPPORT
OF REPLY RE MOTION TO VACATE JUDGMENT
PURSUANT TO FEDERAL RULES OF CIVIL PROCEDURE, RULE 60 (b)(4)**

INDEX OF EXHIBITS

EXHIBIT 1 Quitclaim Deed recorded on June 25, 2003, San Diego Pages 1 - 4
County Recorder Doc. # 2003-0749391

DOC # 2003-0749391

RECORDING REQUESTED BY:
ANTHONY RENDA

13523

JUN 25, 2003 11:00 AM

AND WHEN RECORDED MAIL TO:

Anthony Renda
5212 Chelsea Street
La Jolla, CA 92037

OFFICIAL RECORDS
SAN DIEGO COUNTY RECORDER'S OFFICE
GREGORY J. SMITH, COUNTY RECORDER
FEES: 33.00
DC: AFNF



THIS SPACE FOR RECORDER'S USE ONLY:

QUITCLAIM DEED

Assessor's Parcel Nos.:
343-111-36 & 343-111-39

The undersigned Grantor declares that the documentary transfer tax is: \$ -0- due to the transfer being exempt from tax as a transfer from grantor to wholly owned limited liability company.

FOR NO CONSIDERATION received, ANTHONY RENDA, individually, hereby QUITCLAIMS to FIRST MUTUAL LLC, all right, title and interest of the undersigned in and to the real property situated in the County of San Diego, State of California, described as follows:

Legal description of property attached as Exhibit "A". (Said property is commonly known as 7084 Miramar Road, San Diego, California.)

Dated **JUNE 23, 2003**

ANTHONY RENDA

STATE OF CALIFORNIA)
) ss.
COUNTY OF SAN DIEGO)

On _____, personally appeared before me, _____ a Notary Public, _____, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature on the instrument the person(s), or entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal

Signature (CALIFORNIA All - Purpose Acknowledgement / ATTACHED.)
Notary Public (Seal)

MAIL TAX STATEMENTS TO:
First Mutual LLC, 5212 Chelsea Street, La Jolla, CA 92037.

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EXHIBIT "A"

LEGAL DESCRIPTION

THE LAND REFERRED TO IN THIS POLICY IS SITUATED IN THE COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, AND IS DESCRIBED AS FOLLOWS:

PARCEL A:

PARCEL 1 OF PARCEL MAP NO. 14919, IN THE CITY OF SAN DIEGO, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, AS FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAID SAN DIEGO COUNTY ON AUGUST 7, 1987 AS FILE NO. 87-445496 OF OFFICIAL RECORD.

PARCEL B:

AN EASEMENT FOR ACCESS AND USE OVER THE EASTERLY 12.00 FEET OF THE SOUTHERLY 55.00 OF THAT PORTION OF PARCELS 2 OF PARCEL MAP NO. 5647 LAYING WESTERLY OF AND ADJOINING THE MOST WESTERLY LINE OF PARCEL 1 OF PARCEL MAP NO. 5647, AS DESCRIBED IN A CORPORATION GRANT DEED DATED JUNE 11, 1984 AND RECORDED ON AUGUST 2, 1984 IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY AS FILE NO. 84-291071 OF OFFICIAL RECORD.

PARCEL C:

AN EASEMENT FOR INGRESS, EGRESS AND PARKING OVER AND ACROSS THE ROADWAYS AND PARKING AREAS SO DESIGNATED ON PARCEL 2 OF SAID PARCEL MAP NO. 5647 (EXCLUDING ANY PORTION THEREOF COVERED BY BUILDINGS, WALKWAYS OR LANDSCAPING), AS DESCRIBED IN AN AGREEMENT (RECIPROCAL USE) DATED FEBRUARY 1, 1986 AND RECORDS ON MARCH 25, 1986 IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY AS FILE NO. 86-113353 OF OFFICIAL RECORD.

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CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

State of California

County of

San Diego, California

} ss.

On June 23, 2003

Date

before me,

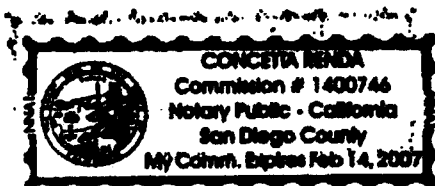
Concetta Renda, Notary Public

Name and Title of Officer (e.g., "Jane Doe, Notary Public")

personally appeared

Anthony Renda

Name(s) of Signer(s)

☒ personally known to me☐ proved to me on the basis of satisfactory evidence

to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

Concetta Renda

Signature of Notary Public

Place Notary Seal Above

OPTIONAL

Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.

Description of Attached DocumentTitle or Type of Document: Quitclaim DeedDocument Date: June 23, 2003Number of Pages: Two

Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by SignerSigner's Name: Anthony Renda☒ Individual☐ Corporate Officer — Title(s): _____☐ Partner — ☐ Limited ☐ General☐ Attorney in Fact☐ Trustee☐ Guardian or Conservator☐ Other: _____

Signer Is Representing: _____





This is a true certified copy of the record
if it bears the seal, imprinted in purple ink

GREGORY J. SMITH
Assessor/Recorder/Clerk
San Diego County, California

JUL 16 2008